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Hon'ble Irshad Hussain, J.

None appeared for the petitioner. Learned counsel for the respondent present. Sri G. C. Tripathi in his counter affidavit has refuted the claim of the petitioner regarding construction over the disputed property after the order had passed by the High Court in the first appeal. There is no rejoinder affidavit to controvert the averments of the counter affidavit. Thus, there is also no evidence to show that the respondent had disobeyed the order of the court.

Considering this, the case for contempt has not been made out. Petition is dismissed. Order discharged.

(Irshad Hussain, J.)

Dated 9.10.2003
Rawat